

In an effort to better identify and clarify my invention, I submit the following corrections to my claims, in the hope that the examiner will find this wording more acceptable.

I have tried to make it more evident that my invention is in fact valve less in its design for production use, and that there are no valves between chambers in a zone to control air flow.

I have also tried to make it more definitive that this invention is not designed to replace Mr. Jaszai or Mr. Magid inventions that wrap an article or enclose an article to be shipped, but to work with their inventions to provide an invention that will be the void fill between their inventions and the interior surface of the shipping box. I noted that in this regard the examiner stated that Mr. Jaszai and Mr. Magid inventions could be inflated as void fill, but they were not designed for this purpose, it is certainly not commercially acceptable because their designs require a single unit production to create their pocket effect. My design is developed specifically for void fill in that its production is not of a single unit but of dozens of units all attached with perforated boundaries that can be left together as sheets or separated and distributed throughout a shipping carton. Mr. Jaszai and Mr. Magid inventions are not only impractical in terms of economy, an over built pad for a simple use, but each of their inventions requires individual inflation, because they are designed to wrap around an object, they can not be pre inflated. My invention is produced inflated; it could be produced hundreds at a time, already inflated. The only way this invention will work as it was intended is to be extremely economical to compete with the Styrofoam beans that it is intended to replace or at least reduce, to help reduce the effects on ecology by providing an alternative deflatable reusable pad in place of the large volumes of Styrofoam bean discarded each year. I must say it is quite disturbing to see the examiner suggest that two inventions not intended for void fill could be used as such; it is almost as if anything could be void fill, bed pillows, rags, rolled up news paper, cabbage, gold, etc. It is extremely frustrating to know you have an invention designed to meet a specific need and to be faced with a response from an examiner that makes it impossible to understand their role in reviewing

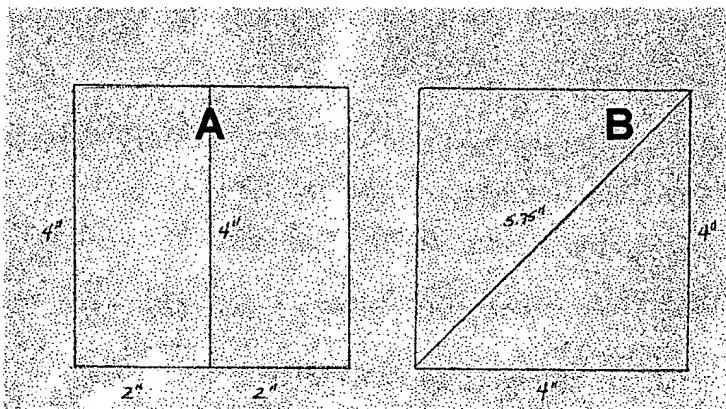
solutions to current needs. How can an applicant hope to overcome this approach to logic? Another point of logic is the examiners use of "prior art" that based on prior art someone could have determined exactly what I am proposing.

It has been 4 years since Mr. Jaszai Oct 1998 and 16 years Mr. Magid Dec. 1986 obtained their patents. First question is, why would they have ever considered a conical shape, their inventions work great for what they were intended for, they were not designing void fill, they were designing object protection. How does an applicant respond when an examiner says that someone in the art would have uncovered this approach to develop a higher volume pad using simple geometry. I am thinking that I am that someone, this invention has the interest of the industries leaders in air packing systems, many of them own that prior art you referred to, they feel that this invention may have solved a problem that has been plaguing this industry and inflatable void fill that is reusable and has backup zones incase one zone of a pad fails. NO one to date had conceived this approach to solve this need, and the examiner states based on prior art someone would have, again I believe I am that someone. Isn't that what invention is about? There are some 1500+ patents on washing machines, if we take the examiners direction to prior art, certainly the industry would have suffered based on the first washing machines prior art. As an applicant I try very hard to consider what the examiner is thinking when it is said that my invention without vales, conical multiples zones to provided extra security and higher pad profile, is like Mr. Jaszai and Mr. Magid. When certainly as the examiner researched present patents to review against my invention, the examiner must have recognized that almost all of the patents selected do the exact same thing as each other. Mr. Jaszai and Mr. Magid inventions do exactly the same thing in exactly the same way, and Mr. Magid was awarded his patent twelve years before Mr. Jaszai. As an applicant asked to review their patents against my invention, I am wondering how their patents were issued because certainly "prior art" would have made it impossible to be considered different. How would the PTO explain that logic direction? And if what the examiner is saying is true that a conical shape was actually the development of prior art then there should never

be a patent awarded for any conical shaped packing pad void fill invention, whether it is mine or another inventor.

The examiner states, That shape is not relevant in my invention over Mr. Jaszai and Mr. Magid, but it certainly is relevant without the conical shape my pad does not work , Mr. Jaszai and Mr. Magid do not require a conical shape for their inventions to work. If my invention does not work without the conical shape it must have some relevance.

The examiner continues to use the one case where a bottle top in the form of the upper portion of a human body was not awarded a patent simply because of shape. Shape in the bottle top was merely a development of design not function but how does that relate to a conical shape that is the functional element that creates higher volume pad because of it shape, when the bottle top is still just a bottle top with no additional function to its shape difference. The examiner can best answer this issue of shape being paramount to this invention, by asking one question; Can you get a high volume pad with zone identity without using the conical shape? Reference the example below, the answer is, NO you can not get a high volume pad without the conical shape; therefore the shape must be relevant to this invention.



From my November response to PTO Office Action

The sketch above will hopefully help illustrate the statement that a chamber height is determined by its smallest dimension. A and B represent a four inch square , consider then inflatable pads. When we divide pad A in half using a rectangle chamber like Mr. Jaszai's wrapping pad the smallest dimension is 2 inches, but when you use a cone shape or triangle shape similar to pad B like our pad the smallest dimension is 4 inches. The cone shape does make a significant difference in obtaining a higher pad profile providing a void fill pad with greater impact protection and requiring less void fill pads to pack like shipping boxes using lower profile pads.

Claims

What is claimed is:

1. An impact- resistant valve less inflatable reusable two zoned void fill packing pad for protecting articles during shipping from shock and damage, said packing pad made of a first and second outer film layers, said first and second film layers being secured together along an outer perimeter thereof to define a entry/exit portal tube passageway to permit repeated packing pad use and the inner volume within said pad and, said first and said second film layers within said inner volume in a location selected to form two separate zones within said inner pad volume, and each said zone made up of inflatable chambers, wherein said chambers are conical shaped providing a high volume profile with added zoned impact security .
2. The system of claim 1, wherein each said zone is comprised of a plurality of inflatable valve less conical shaped chambers configured to redistribute an inflation gas contained therein from one or more conical shaped chambers compressed by an external impact to at least one contiguous conical shaped chamber which is not impacted.
3. The system of claim 2 , wherein said conical shaped chambers maximize pad height for impact protection, said pad height respective of available chamber height, determined by base width of conical chambers provided.
4. An impact- resistant valve less inflatable reusable four zoned void fill packing pad for protecting articles during shipping from shock and damage, said packing pad made of a first and second outer film layers with a complete central film layer, said first and second

film layers being secured to the central film layer along an outer perimeter thereof to define a entry/exit portal tube passageway to permit repeated packing pad use and the inner volume within said pad and , said first and said second film layers within said inner volume in a location selected to form four separate zones within said inner pad volume, and each said zone made up of inflatable chambers, wherein said chambers are conical shaped providing a high volume profile with added zoned impact security .